



PDC NEWS

711 Capitol Way, Room 206
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Public Disclosure Commission

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Enforcement Matters

The Commission, citing multiple violations of public disclosure law, levied the maximum civil penalty allowed under state law against **Protect our Pets and Wildlife**, the political committee supporting Initiative 713. The \$2,500 penalty was issued for failure to report orders placed and estimated expenditures of over \$500,000 during the 2000 election. The case was initially sent to the Office of the Attorney General for action in Superior Court, but was returned to the Commission for final adjudication.

In lieu of a full enforcement hearing, the Commission accepted a stipulated agreement with the **Whatcom County Republican Party** (WCRP) finding multiple violations for failing to timely file reports of contributions and expenditures, and by failing to timely report details of expenditures during a three year period from 1999 thru 2001. The stipulation included a \$5,000 civil penalty agreed to by the Whatcom County Republicans. One half of the civil penalty (\$2,500) was suspended on the condition that the WCRP comply with the provisions of RCW 42.17 through 2004.

The Commission also dismissed the enforcement case against **John Potter**, candidate for State Representative from the 11th Legislative District, for failing to file the 7-day pre-general election C-4 report of contributions and expenditures. The Commission found that Mr. Potter had no campaign expenditures other than payment of a filing fee and that his campaign qualified for the mini reporting option. The Commission also vacated an order against Mr. Potter from a prior violation for failure to file the 7-day pre-primary election report, which included vacating a \$500 civil penalty imposed by the Commission.

Rule Making

The Commission approved language to be included in proposed rules (WAC 390-17-100 and WAC 390-17-110) designed to implement and clarify RCW 42.17.680. Current law requires the Commission to develop a standard authorization form to be used for payroll deductions and requires annual notification of employees from whom wages or salary are withheld for contributions to political committees or for use as political contributions. Annual notification must include the non-discriminatory provision of RCW 42.17.680(2) and the notification about the right to revoke the authorization for payroll deductions at any time. The proposed rules clarify what needs to be included in the authorization forms, who sends the notification to employees, examples of what constitutes written notification, and how long the records must be kept. A public hearing on the rules will be held on March 25, 2003.

Advisory Matters

The Commission reviewed and adopted a protocol for dealing with issues associated with mandatory electronic filing of campaign finance reports, extended the temporary status of previously adopted penalty schedules for an additional six months and adopted protocols for future requests for reporting modifications of Personal Financial Affairs Statements filed by elected and appointed officials and candidates.

Requests for Review/Reconsideration

The Commission vacated the violation and penalty against **Allan Brotche**, Mason County Auditor, who was found in violation of state law on December 11, 2002 for failure to file the 7-day pre-general election C-4 report of contributions and expenditures. The civil penalty of \$100 was also removed. The Commission found there was a misunderstanding between PDC staff and Mr. Brotche concerning the need to file periodic disclosure reports when he spent no money on his campaign other than the required filing fee. They let stand findings of violation against **Dan Bardsley**, candidate for Wahkiakum County Sheriff, and **Wayne Weber**, candidate for Asotin County Sheriff, for failure to file 7-day pre-general election campaign reports of contributions and expenditures. The violations and civil penalties of \$100 and \$150 stand.

The Commission reconsidered the case against **Eric Patton**, Commissioner, Grays Harbor Fire District, and dismissed all charges. On June 4, 2002, Mr. Patton was found in violation of state law for failure to file a statement of personal financial affairs and was assessed a civil penalty of \$100. The Commission found that Mr. Patton responded to a PDC warning letter requesting the required information.

Reporting Modifications

The Commission suspended the requirement of reporting the business and governmental customers of her spouses law firms when filing a statement of personal financial affairs by **Christine Cary**, former Judge, Spokane County District Court and granted a reporting modification for **Patricia Connolly Walker**, Candidate for Spokane County District Court Judge, from reporting the business customers of the law firm of Delay, Curran, Thompson, Pontarolo & Walker, P.S. pursuant to PDC interpretation Number 02-06. They also granted the request for a reporting modification by **Phillip Sharpe**, Trustee, Western Washington University, from reporting the business customers of the law firm of Adelstein, Sharpe & Serka LLP, of which he is a partner.

The Commission renewed with no changes modifications for the **Washington State Republican Party**, the **Washington State Democratic Central Committee** and **Gordon Budke**, Trustee, Eastern Washington University.

The Commission meeting materials may be found at www.pdc.wa.gov under **Commission Meetings** at **Meeting Agendas and Materials**. For additional information concerning these issues contact Doug Ellis, Director of Public Outreach, at (360) 664-2735, toll free 1-877-601-2828 or e-mail at dellis@pdc.wa.gov.